

McGLINCHEY STAFFORD

Hassan Elrakabawy (SBN 248146)
Brian A. Paino (SBN 251243)
18201 Von Karman Avenue, Suite 350
Irvine, California 92612
Telephone: (949) 381-5900
Facsimile: (949) 271-4040
Email: helrakabawy@mcglinchey.com

Attorneys for *Defendant* **QUICKEN LOANS INC. (erroneously sued as Quicken Loans aka Quicken Mortgage Services aka Quicken Banking)**

UNITED STATES DISTRICT COURT

CENTRAL DISTRICT OF CALIFORNIA – SOUTHERN DIVISION

WADE P. GORDON,
Plaintiff,

v.

QUICKEN LOANS aka QUICKEN
MORTGAGE SERVICES aka QUICKEN
BANKING; and DOES 1 THROUGH 20,
INCLUSIVE,

Defendant.

Case No.: 15-cv-01131-JVS-JCG

Hon. James V. Selna

**DECLARATION OF HASSAN
ELRAKABAWY IN SUPPORT OF
MOTION TO DISMISS
COMPLAINT FOR FAILURE TO
STATE A CLAIM UPON WHICH
RELIEF CAN BE GRANTED**

*[Filed concurrently with Notice of
Motion and Motion to Dismiss;
Memorandum of Points and Authorities;
Request for Judicial Notice, and
[Proposed] Order]*

Superior Court Case No. 30-2015-
00793508

Action Filed: June 16, 2015

Trial Date: NA

Hearing:

Date: November 2, 2015

Time: 1:30 p.m.

Ctrm.: 10C

I, Hassan Elrakabawy, declare as follows:

1 1. I am employed as an attorney at McGlinchey Stafford (“McGlinchey”),
2 counsel for *defendant* QUICKEN LOANS INC. (erroneously sued as Quicken Loans
3 aka Quicken Mortgage Services aka Quicken Banking) (“Quicken Loans” or
4 “Defendant”), in this action, and am duly licensed to practice law before all courts of
5 the State of California. I have personal knowledge of the matters set forth herein, and
6 if called as a witness, I could and would testify competently thereto.

7 2. This declaration is submitted in support of Quicken Loans Motion to
8 Dismiss for failure to state a claim upon which relief can be granted, which are being
9 filed concurrently herewith.

10 3. On August 31, 2015, I met Mr. Gordon in person in Irvine, California for
11 the Conference of Counsel pursuant to Local Rule 7-3 and this Court’s prior Order in
12 this action.

13 4. Consistent with the Court’s Order instructing that any Motion to Remand
14 brought by Plaintiff be heard on the same date as Quicken Loans’ Motion to Dismiss,
15 the parties agreed that the motions would be filed and served so as to be heard on
16 Monday, November 2, 2015, at 1:30 p.m.

17 5. On September 9, 2015, I sent Mr. Gordon a letter via email and U.S. Mail
18 memorializing the conference of counsel and meet and confer discussions. A true and
19 correct copy of a letter from myself to Plaintiff in *pro per* Wade P. Gordon is attached
20 hereto as Exhibit A.

21 6. Mr. Gordon confirmed receipt of the confirming letter via an email sent
22 to me on September 11, 2015 at 11:35 a.m. A true and correct copy of the email
23 correspondence is attached hereto as Exhibit B.

24 ///

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27 ///

1 7. I declare under penalty of perjury of the laws of the State of California
2 that the foregoing is true and correct. Executed this 2nd day of October, at Irvine
3 California.

4
5 DATED: October 2, 2015

McGLINCHEY STAFFORD

6
7 By: /s/ Hassan Elrakabawy

8 HASSAN ELRAKABAWY

9 BRIAN A. PAINO

10 Attorneys for *Defendant* **QUICKEN LOANS**
11 **INC. (erroneously sued as Quicken Loans**
12 **aka Quicken Mortgage Services aka**
13 **Quicken Banking)**
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PROOF OF SERVICE

STATE OF CALIFORNIA)
)
COUNTY OF ORANGE) **ss.**

I, Marina Hegel, declare:

I am employed in the County of Orange, State of California. I am over the age of 18 and not a party to the within action. My business address is 18201 Von Karman Ave., Suite 350, Irvine, California 92612.

On October 2, 2015, I served the document(s) described as **DECLARATION OF HASSAN ELRAKABAWY IN SUPPORT OF MOTION TO DISMISS COMPLAINT FOR FAILURE TO STATE A CLAIM UPON WHICH RELIEF CAN BE GRANTED** as follows:

☒ **BY MAIL:** As follows:

☒ **FEDERAL** – I deposited such envelope in the U.S. mail at Irvine, California, with postage thereon fully prepaid,

☒ **BY CM/ECF NOTICE OF ELECTRONIC FILING:** I caused said document(s) to be served by means of this Court's Electronic transmission of the Notice of Electronic Filing through the Court's transmission facilities, to the parties and/or counsel who are registered CM/ECF users set forth in the service list obtained from this Court. Pursuant to Electronic Filing Court Order, I hereby certify that the above documents(s) was uploaded to the website and will be posted on the website by the close of the next business day and the webmaster will give e-mail notification to all parties.

☒ **FEDERAL:** I declare that I employed in the office of a member of the State Bar of this Court at whose direction the service was made.

Executed on October 2, 2015, at Irvine, California.

Marina Hegel
 Marina Hegel

SERVICE LIST
United States District Court, Case No. 15-cv-01131-JVS-JCG
WADE P. GORDON v. QUICKEN LOANS INC.
File # 102369.0028

Wade P. Gordon
37 Parterre Ave.
Foothill Ranch, CA 92610

Plaintiff **In Pro Per**